

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hideyoshi HORIMAI et al.

ATTN: PCT Branch

Application No.: 09/868,598

Docket No.: 109881



Filed: July 6, 2001

For: APPARATUS AND METHOD FOR PHOTOGRAPHING THREE-DIMENSIONAL
IMAGE, APPARATUS AND METHOD FOR DISPLAYING THREE-
DIMENSIONAL IMAGE, AND APPARATUS AND METHOD FOR
CONVERTING THREE-DIMENSIONAL IMAGE DISPLAY POSITION

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
DECLARATION ALREADY FILED

RECEIVED
SEP 25 2001
Technology Center 2600Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office (DO/EO/US) (copy attached) mailed on July 31, 2001, the executed Declaration of the inventors was filed on July 6, 2001. A copy of the executed Declaration as filed, a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, and a copy of the stamped postcard receipt are attached hereto.

Entry of these documents on July 6, 2001 should have completed all of the filing formalities. Accordingly, prompt issuance of a Notification of Acceptance and Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,

James A. Oliff
Registration No. 27,075Thomas J. Pardini
Registration No. 30,411

JAO:TJP/zmc

Date: September 4, 2001

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**
Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

| | | |
|---|--|----------------------------|
| U.S. APPLICATION NO. 09/868598 | FIRST NAMED APPLICANT OLIFF & BERRIDGE | ATTY. DOCKET NO. 109881 |
| INTERNATIONAL APPLICATION NO. PCT/JP99/07147 | | |
| I.A. FILING DATE 20 DEC 99 | | PRIORITY DATE 06 JAN 99 |

OLIFF & BERRIDGE
P O BOX 19928
ALEXANDRIA, VA 22320

CLIFF & BERRIDGE

DATE MAILED: 31 JUL 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
☐ U.S. Basic National Fee. ☐ Copy of the international application.3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

Paulette Kidwell, Paralegal

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3656

DOCKETED

By PRR on 8/1 20 01

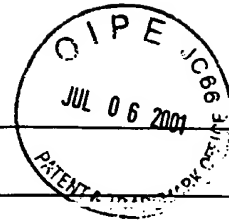
By MWS on 8/2 20 01

Cliff & Berridge

PTO RECEIPT FOR FILING OF PAPERS

The following papers have been filed:

PCT trans, DEC



Name of Applicant: Hideyoshi HORIMAI et al.

Serial No.: US National Stage of PCT/JP99/07147

Atty. File No.: 109881

Title (New Cases):

Sender's Initials: JAO/zmc

8/14

PATENT OFFICE DATE STAMP

24

**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**

**TRANSMITTAL LETTER TO THE
UNITED STATES
DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING
UNDER 35 U.S.C. 371**

U.S. APPLICATION NO.
(if known, sec 37 C.F.R.1.5)INTERNATIONAL APPLICATION NO.
PCT/JP99/07147INTERNATIONAL FILING DATE
December 20, 1999PRIORITY DATE CLAIMED
January 6, 1999

TITLE OF INVENTION

APPARATUS AND METHOD FOR PHOTOGRAPHING THREE-DIMENSIONAL IMAGE, APPARATUS AND METHOD FOR
DISPLAYING THREE-DIMENSIONAL IMAGE, AND APPARATUS AND METHOD FOR CONVERTING THREE-DIMENSIONAL
IMAGE DISPLAY POSITIONAPPLICANT(S) FOR DO/EO/US
Hideyoshi HORIMAI et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ Entitlement to small entity status is hereby asserted.
16. ☐ Other items or information:

| | | |
|--|---|------------------------------------|
| U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) | INTERNATIONAL APPLICATION NO. PCT/JP99/07147 | ATTORNEY'S DOCKET NUMBER 109881 |
|--|---|------------------------------------|

| 17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO\$860.00 International preliminary examination fee paid to USPTO (37 CFR 1.482)\$600.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$710.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$1,000.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = | CALCULATIONS | PTO USE ONLY | | | | | | | | | | | | | | | | |
|---|-----------------------|---------------------|--------------|------|--------------|--------|--|------------|--------------------|-------|--|------------|--|--|--|------------|----|--|
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | \$ | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 25%;">Claims</th> <th style="width: 25%;">Number Filed</th> <th style="width: 25%;">Number Extra</th> <th style="width: 25%;">Rate</th> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">- 20 =</td> <td></td> <td>X \$ 18.00</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">- 3 =</td> <td></td> <td>X \$ 80.00</td> </tr> <tr> <td colspan="2">Multiple dependent claim(s)(if applicable)</td> <td></td> <td>+ \$270.00</td> </tr> </table> | Claims | Number Filed | Number Extra | Rate | Total Claims | - 20 = | | X \$ 18.00 | Independent Claims | - 3 = | | X \$ 80.00 | Multiple dependent claim(s)(if applicable) | | | + \$270.00 | \$ | |
| Claims | Number Filed | Number Extra | Rate | | | | | | | | | | | | | | | |
| Total Claims | - 20 = | | X \$ 18.00 | | | | | | | | | | | | | | | |
| Independent Claims | - 3 = | | X \$ 80.00 | | | | | | | | | | | | | | | |
| Multiple dependent claim(s)(if applicable) | | | + \$270.00 | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | \$ | | | | | | | | | | | | | | | | | |
| Reduction by 1/2 for filing by small entity, if applicable. | - | | | | | | | | | | | | | | | | | |
| SUBTOTAL = | \$ | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)). | \$ | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | \$ | | | | | | | | | | | | | | | | | |
| | Amount to be refunded | \$ | | | | | | | | | | | | | | | | |
| | Charged | \$ | | | | | | | | | | | | | | | | |

a. ☐ Check No. _____ in the amount of \$ _____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
 OLIFF & BERRIDGE, PLC
 P.O. Box 19928
 Alexandria, Virginia 22320

NAME: James A. Oliff
 REGISTRATION NUMBER: 27,075

Date: July 6, 2001

NAME: Joel S. Armstrong
 REGISTRATION NUMBER: 36,430